

FIFTY-NINTH DAY

(Tuesday, April 17, 1945)

The Senate met at 11:00 o'clock a. m., pursuant to adjournment, and was called to order by the President.

The roll was called, and the following Senators were present:

Aikin	Moffett
Brown	Moore
Bullock	Morris
Carney	Parrish
Chadick	Ramsey
Crawford	Shivers
Graves	Spears
Hazlewood	Stanford
Jones	Stone
Knight	Sulak
Lane	Taylor
Lanning	Vick
Martin	Weinert
Mauritz	Winfield
Metcalf	

A quorum was announced present.

The Reverend J. E. Chester, Chaplain, offered the invocation.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal approved.

Leaves of Absence Granted

Senators Kelley and York were granted leaves of absence for today on account of important business on motion of Senator Bullock.

Report of Standing Committees

Senator Stone submitted the following report:

Austin, Texas,
April 17, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Penitentiaries, to whom was referred H. B. No. 558, have had same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

STONE, Chairman.

Caucus Report

Senator Shivers submitted the following report, previously agreed to by the members of the Senate in the caucus:

Austin, Texas,
April 17, 1945.

Hon. John Lee Smith,
Lieutenant Governor,
President of the Senate,
Austin, Texas.

Sir: At a caucus held in the office of the Senate attended by 29 members of the Senate, the following recommendation was made, to-wit:

To be Secretary of the Senate of the Forty-ninth Legislature: Noel K. Brown.

Respectfully submitted,
ALLAN SHIVERS,
Chairman of the Caucus.

The report was read and was adopted.

Report of Committee to Select Poet Laureate

Senator Hazlewood submitted the following report:

Austin, Texas,
April 10, 1945.

Hon. John Lee Smith, President of the Senate.

Hon. Claud Gilmer, Speaker of the House.

Sirs: In accordance with the provisions of S. C. R. No. 6, a Committee was appointed to name and designate some outstanding and recognized poet who is a citizen of Texas and who shall be Poet Laureate of the State of Texas for a period of two years from such appointment and designation; said Committee has held a meeting with the Governor as provided in said resolution, and after careful consideration of all persons nominated for this position, the Committee selected David Russell, of Dallas, Texas.

Respectfully submitted,

HAZLEWOOD
RAMSEY
PARRISH

On the part of the Senate,

CHAMBERS
DEAN
SMITH

On the part of the House.

Approved:
April 12, 1945.

COKE R. STEVENSON,
Governor.

The report was read and was ordered printed in the Journal.

Notice Given on Senate Bill 317

Senator Lanning gave notice that on Wednesday, April 18, 1945, immediately after the morning call, he would call up S. B. No. 317 for consideration at that time.

Senate Resolution 62

(Extending Courtesy of the Floor to Major C. H. Latson)

Senator Winfield offered the following resolution:

Whereas, Major C. H. Latson, the Post Judge Advocate at Camp Swift, is at the Capitol, and

Whereas, Said Major Latson was a former business associate of Senator H. L. Winfield, and

Whereas, The said Major Latson is in the Capitol; now, therefore be it Resolved by the Senate of Texas, That Major C. H. Latson be extended the courtesy of the floor of the Senate this the seventeenth day of April.

WINFIELD
MARTIN
SPEARS

The resolution was read and was adopted.

House Bill 48 Set as Special Order

Senator Moffett moved that House Bill No. 48 be set as a special order for Thursday, April 19, 1945, immediately following the morning call.

The motion prevailed by the following vote:

Yeas—22

Aikin	Morris
Brown	Parrish
Bullock	Ramsey
Carney	Shivers
Crawford	Spears
Hazlewood	Stanford
Jones	Stone
Knight	Taylor
Lane	Vick
Metcalfe	Weinert
Moffett	Winfield

Yeas—6

Chadick	Mauritz
Graves	Moore
Lanning	Sulak

Absent

Martin

Absent—Excused

Kelley	York
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Senate Joint Resolution 7 With House Amendments

Senator Moffett called S. J. R. No. 7 from the President's table for consideration of the House amendments to the resolution.

The President laid the resolution and House amendments before the Senate, and the House amendments were read.

Senator Moffett moved that the Senate do not concur in the House amendments and that a conference committee be requested to adjust the differences between the two Houses on the resolution.

The motion prevailed.

Accordingly, the President announced the appointment of the following conferees on the resolution on the part of the Senate: Senators Moffett, Metcalfe, Martin, Spears, Weinert.

Senate Bill 26 Set as Special Order

Senator Ramsey moved that Senate Bill No. 26 be set as a special order for Friday, April 20, 1945, immediately following the disposition of special orders already set for that day.

The motion prevailed by the following vote:

Yeas—27

Aikin	Moore
Brown	Morris
Bullock	Parrish
Carney	Ramsey
Chadick	Shivers
Crawford	Spears
Graves	Stanford
Hazlewood	Stone
Jones	Sulak
Knight	Taylor
Lane	Vick
Mauritz	Weinert
Metcalfe	Winfield
Moffett	

Absent

Lanning	Martin
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Absent—Excused

Kelley	York
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Senate Bill 322 on First Reading

Senator Crawford moved that the rules adopted pursuant to Section 5 of Article III of the State Constitution be suspended to permit his in-

roducing at this time a bill the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—29

Aikin	Moffett
Brown	Moore
Bullock	Morris
Carney	Parrish
Chadick	Ramsey
Crawford	Shivers
Graves	Spears
Hazlewood	Stanford
Jones	Stone
Knight	Sulak
Lane	Taylor
Lanning	Vick
Martin	Weinert
Mauritz	Winfield
Metcalfe	

Absent—Excused

Kelley York

The following bill then was introduced, read first time, and referred to Committee on Judicial Districts:

By Senator Crawford:

S. B. No. 322, A bill to be entitled "An Act providing that all counties within this State, having a population of not less than thirty thousand (30,000) inhabitants nor more than thirty-nine thousand (39,000) inhabitants, according to the last preceding Federal Census, and in which there is located no Court of Civil Appeals, may, upon an order being made by their Commissioners Courts for this purpose, provide for and maintain a county law library; providing for the funds for said library; granting to said Courts all necessary power and authority to make this Act effective; providing that said Act shall be cumulative; and declaring an emergency."

Senate Bill 323 on First Reading

Senator Aikin moved that the rules adopted pursuant to Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time a bill the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—29

Aikin	Carney
Brown	Chadick
Bullock	Crawford

Graves	Parrish
Hazlewood	Ramsey
Jones	Shivers
Knight	Spears
Lane	Stanford
Lanning	Stone
Martin	Sulak
Mauritz	Taylor
Metcalfe	Vick
Moffett	Weinert
Moore	Winfield
Morris	

Absent—Excused

Kelley York

The following bill then was introduced, read first time and referred to the Committee on Education:

By Senator Aikin:

S. B. No. 323, A bill to be entitled "An Act changing the name of the Deaf, Dumb, and Blind Asylum for Colored Youths and Colored Orphans to be hereafter known as Texas Blind, Deaf and Orphans School; and declaring an emergency."

Motion to Introduce Bill

Senator Sulak moved that the rules adopted pursuant to Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time a bill the provisions of which he explained.

The motion was lost by the following vote (not receiving the necessary vote of four-fifths of the members of the Senate):

Yeas—19

Aikin	Ramsey
Brown	Shivers
Bullock	Spears
Chadick	Stanford
Crawford	Stone
Knight	Sulak
Lane	Taylor
Morris	Vick
Mauritz	Weinert
Moffett	

Nays—6

Hazlewood	Moore
Jones	Parrish
Metcalfe	Winfield

Absent

Carney	Lanning
Graves	Martin

Absent—Excused

Kelley York

Senate Bill 45 Set as Special Order

Senator Vick moved that Senate Bill No. 45 be set as a special order for Friday, April 20, 1945, immediately following the morning call.

The motion prevailed by the following vote:

Yeas—22

Aikin	Mauritz
Brown	Moffett
Chadick	Parrish
Crawford	Shivers
Graves	Spears
Hazlewood	Stanford
Jones	Stone
Knight	Taylor
Lane	Vick
Lanning	Weinert
Martin	Winfield

Nays—2

Moore Morris

Present—Not Voting

Sulak

Absent

Bullock	Metcalf
Carney	Ramsey

Absent—Excused

Kelley York

Senate Bill 28 Set as Special Order

Senator Martin moved that Senate Bill No. 28 be set as a special order for Monday, April 23, 1945, immediately following the disposition of the special orders already set for that day.

The motion prevailed by the following vote:

Yeas—26

Brown	Moffett
Bullock	Moore
Chadick	Morris
Crawford	Parrish
Graves	Ramsey
Hazlewood	Shivers
Jones	Spears
Knight	Stanford
Lane	Stone
Lanning	Taylor
Martin	Vick
Mauritz	Weinert
Metcalf	Winfield

Nays—2

Aikin Sulak

Absent

Carney

Absent—Excused

Kelley

York

Senate Bill 86 Set as Special Order

Senator Parrish moved that Senate Bill No. 86 be set as a special order for Monday, April 23, 1945, immediately following the disposition of special orders already set for that day.

The motion prevailed by the following vote:

Yeas—27

Aikin	Moffett
Brown	Moore
Bullock	Morris
Chadick	Parrish
Crawford	Ramsey
Graves	Shivers
Hazlewood	Spears
Jones	Stanford
Knight	Stone
Lane	Taylor
Lanning	Vick
Martin	Weinert
Mauritz	Winfield
Metcalf	

Nays—1

Sulak

Absent

Carney

Absent—Excused

Kelley

York

Message from the House

Hall of the House of Representatives,

Austin, Texas,
April 17, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

H. B. No. 410, A bill to be entitled "An Act to amend Chapter 292, Acts of the Regular Session of the Forty-first Legislature, as amended by Chapter 584, Acts of the Regular Session of the Forty-seventh Legislature, the same being entitled 'An Act to aid the City of Port Arthur, Texas, situated in Commissioner's Precinct Number 2 of Jefferson County, Texas, in constructing and

maintaining sea walls, breakwaters and shore protection in order to protect said City from calamitous overflows, by donating to it eight-ninths (8/9) of ad valorem taxes collected on all property, both real and personal, in Commissioner's Precinct Number 2 of Jefferson County, Texas, for a period of twenty (20) years, providing a penalty for misapplication of the moneys thus donated; and declaring an emergency by extending the provisions of said Act for a period of twelve (12) years from September 1, 1949; providing for primary drainage systems; authorizing the refunding to the City of Port Arthur a certain sum heretofore paid by said City; making provisions with reference to certain homestead exemptions; providing a saving clause; and declaring an emergency."

H. B. No. 484, A bill to be entitled "An Act amending House Bill No. 17, Acts of the Regular Session of the Forty-sixth Legislature, so as to provide that such Act shall be administered by the 'Texas Real Estate Commission, providing for the appointment of such Commission and the qualifications and tenure of the members; providing for an Administrator, defining the powers, duties and responsibilities of the Commissioner and the Administrator and the compensation of the Commissioner and the Administrator; providing for a bond by the Administrator; making provision for the transfer of records from the Secretary of State to the Texas Real Estate Commission'; making provision for licenses already issued; making provisions for process, notices, applications, orders and other instruments issued or filed at the time this Act becomes effective; making provision for pending suits; providing that the 'Texas Real Estate Commission' shall stand in lieu of Secretary of State and the Administrator of the Securities Division in so far as House Bill No. 17, Acts of the Regular Session of the Forty-sixth Legislature is concerned; making certain exceptions thereto; providing a savings clause; and declaring an emergency."

H. B. No. 72, A bill to be entitled "An Act to amend Section nine (9) Article 7345b Revised Civil Statutes of Texas, 1925."

Engrossed rider.

Respectfully submitted,

CLARENCE JONES,

Chief Clerk, House of Representatives

Senate Bill 98 on Second Reading

Senator Chadick moved that the regular order of business be suspended to take up on its second reading and passage to engrossment:

S. B. No. 98, A bill to be entitled "An Act appropriating the sum of \$250.00 or so much thereof as may be necessary to satisfy, according to the terms there, the judgment rendered against the State of Texas, in favor of C. O. Keiffer, in Cause No 1405, in Justice Peace Court, Precinct No. 2, Wood County, Texas; such judgment having become final and no appeal taken therefrom by any party to the action; and declaring an emergency."

The motion prevailed by the following vote:

Yeas—26

Aikin	Metcalfe
Brown	Moffett
Bullock	Moore
Carney	Morris
Chadick	Parrish
Crawford	Ramsey
Graves	Shivers
Hazlewood	Stanford
Knight	Stone
Lane	Taylor
Lanning	Vick
Martin	Weinert
Mauritz	Winfield

Nays—3

Jones	Sulak
Spears	

Absent—Excused

Kelley	York
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The President laid the bill before the Senate, and it was read second time and was passed to engrossment.

Senate Bill 98 on Third Reading

Senator Chadick moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 98 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Nays—29

Aikin	Carney
Brown	Chadick
Bullock	Crawford

Graves	Parrish
Hazlewood	Ramsey
Jones	Shivers
Knight	Spears
Lane	Stanford
Lanning	Stone
Martin	Sulak
Mauritz	Taylor
Metcalfe	Vick
Moffett	Weinert
Moore	Winfield
Morris	

Absent—Excused

Kelley	York
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The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—29

Aikin	Moffett
Brown	Moore
Bullock	Morris
Carney	Parrish
Chadick	Ramsey
Crawford	Shivers
Graves	Spears
Hazlewood	Stanford
Jones	Stone
Knight	Sulak
Lane	Taylor
Lanning	Vick
Martin	Weinert
Mauritz	Winfield
Metcalfe	

Absent—Excused

Kelley	York
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Message from the House

Austin, Texas,
April 17, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

H. B. No. 277, A bill to be entitled "An Act to amend Section 1 of Chapter 362 (S. B. No. 319) Acts of the 48th Legislature, 1943; and declaring an emergency."

With engrossed rider.

H. B. No. 309, A bill to be entitled "An Act relating to aeronautics; providing for the development thereof within this State; creating a state aeronautics commission and the office of directors of aeronautics; pre-

scribing the powers and duties of such commission and director; making an appropriation therefor; prescribing penalties, and repealing all laws and parts of laws in conflict herewith; providing that if any section, paragraph, sentence, clause, phrase or part of this act be invalid, such invalidity shall not affect the remainder thereof; and declaring an emergency."

With engrossed rider.

H. B. No. 239, A bill to be entitled "An Act requiring Members of the Board of Pardons to grant personal interviews to prisoners applying for clemency and defining their duties in respect thereto; locating the Board's office in Austin; requiring all records to be kept there, and making such records public; fixing the compensation of the members thereof; and declaring an emergency."

Respectfully submitted,

CLARENCE JONES,

Chief Clerk, House of Representatives

Report of Standing Committee

Senator Bullock, by unanimous consent, submitted the following report at this time:

Austin, Texas,
April 17, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Education to whom was referred S. B. No. 323, have had same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

BULLOCK, Chairman.

Committee Substitute Senate Bill 40 on Second Reading

The President laid before the Senate as a special order for this hour, on its second reading and passage to engrossment:

C. S. S. B. No. 40, A bill to be entitled "An Act authorizing the State Board of Control to negotiate for the purchase of The Tribune Building, the real estate on which it is located, and all lands pertaining thereto, or used in connection therewith, in the City of Austin, Travis County, Texas; directing the Attorney General to prepare the contract for sale; directing the furnishing of an abstract of title covering such property; directing the

examination and approval of title by the Attorney General; appropriating Eight Hundred Forty-seven Thousand (\$847,000) Dollars, or as much thereof as may be necessary, for the purchase of said building, real esate and lands; appropriating an additional Twenty Thousand (\$20,000.00) Dollars for the biennium beginning September 1, 1945, to cover maintenance and other miscellaneous items; providing for the construction of a State Memorial Courts Building, a parking lot adjacent thereto, and landscaping the grounds; providing for the location of said building; providing for a plaque in tribute of veterans of World War II and making an appropriation therefor; making an appropriation for the biennium ending August 31, 1947, out of the General Revenue Fund to cover the cost of constructing and equipping said building and all other expenses incident thereto; making an appropriation for a maintenance crew of said building upon its completion; providing for the payment of utilities and other miscellaneous expense; and declaring an emergency."

The bill was read second time.

Question—Shall the bill be passed to engrossment?

Recess

On motion of Senator Weinert, the Senate, at 12:00 o'clock m., took recess to 2:00 o'clock p. m., today.

Afternoon Session

The Senate met at 2:00 o'clock p. m., and was called to order by the President.

Committee Substitute Senate Bill 40 on Second Reading

The Senate resumed consideration of pending business, same being C. S. S. B. No. 40 on its passage to engrossment.

Senator Moffett offered the following amendment to the bill:

Amend substitute for S. B. No. 40 line 4, page 2 by striking out the words "There shall be constructed" and inserting in lieu thereof the following "A contract may be made for the construction of" and by striking out the words "under the supervision of" in line 5 and inserting the word "by"

The amendment was adopted.

Senator Metcalfe offered the following amendment to the bill:

(Senator Moore in the Chair)

Amend Committee Substitute for S. B. No. 40, by adding after Section 4, a new Section to be numbered "4a" and reading as follows:

"Section 4a. The Board of Control is authorized in the event such a procedure is economically advisable to rent space on the ground floor and in the basement for commercial business upon open bids for same."

The amendment was adopted.

Senator Moffett offered the following amendment to the bill:

Amend Committee Substitute for Senate Bill No. 40, by adding on page 2, at the end of line 16, the words: "The Archives Division of the Texas State Library;"

The amendment was adopted.

Senator Mauritz offered the following amendment to the bill:

Amend Committee Substitute for S. B. No. 40, pages 1 and 2 by striking out the words and figures wherever they occur: "Eight Hundred Forty-seven Thousand (\$847,000.00)" and insert in lieu thereof the following:

"Eight Hundred Twelve Thousand Three Hundred Eighty (\$812,380.00)"

MAURITZ
METCALFE

The amendment was adopted.

On motion of Senator Mauritz, and by unanimous consent, the caption was amended to conform with the body of the bill as amended.

(President in the Chair)

Senator Shivers offered the following amendment to the bill:

Amend Committee Substitute for S. B. No. 40 by striking out Sections 5, 6, 7, 8 and 9 thereof.

Senator Mauritz moved to table the amendment.

The motion prevailed by the following vote:

Yeas—15

Brown	Metcalfe
Bullock	Moffett
Carney	Parrish
Chadick	Spears
Graves	Stanford
Jones	Vick
Knight	Winfield
Mauritz	

Nays—14

Aikin	Morris
Crawford	Ramsey
Hazlewood	Shivers
Lane	Stone
Lanning	Sulak
Martin	Taylor
Moore	Weinert

	Absent—Excused
Kelley	York

C. S. S. B. No. 40 was passed to engrossment.

On motion of Senator Mauritz, and by unanimous consent, the names of the following Senators were added to the bill as co-authors thereof: Senators Mauritz, Winfield, Graves and Knight.

**Committee Substitute
Senate Bill 40 on Third Reading**

Senator Mauritz moved that the constitutional rule requiring bills to be read on three several days be suspended and that C. S. S. B. No. 40 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Moffett
Brown	Moore
Bullock	Morris
Carney	Parrish
Chadick	Ramsey
Crawford	Shivers
Graves	Spears
Hazlewood	Stanford
Jones	Stone
Knight	Sulak
Lane	Taylor
Lanning	Vick
Martin	Weinert
Mauritz	Winfield
Metcalfe	

Absent—Excused

Kelley	York
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The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—21

Brown	Jones
Bullock	Knight
Chadick	Lane
Crawford	Lanning
Graves	Mauritz

Metcalfe	Stone
Moffett	Sulak
Morris	Vick
Parrish	Weinert
Spears	Winfield
Stanford	

Nays—8

Aikin	Moore
Carney	Ramsey
Hazlewood	Shivers
Martin	Taylor

Absent—Excused

Kelley	York
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Senate Bill 229 on Second Reading

The President laid before the Senate, as a special order for this hour, on its second reading and passage to engrossment:

S. B. No. 229, A bill to be entitled "An Act to authorize the Commissioner of the General Land Office, with the approval of the School Land Board, to enter into agreements whereby the State's royalty interests in natural gas reserved in or retained in any patent or contract of sale or under the terms of any lease executed by an agent of the State under the Relinquishment Act or any lease executed and issued by the Commissioner of the General Land Office, except leases covering land belonging to The University of Texas, are pooled and consolidated with other interests in natural gas so as to form pooled areas; fixing a minimum royalty to be received by the State, repealing all laws in conflict herewith; providing a saving clause; and declaring an emergency."

The bill was read second time.

Senator Moore offered the following amendment to the bill:

Amend S. B. No. 229 by adding to Section 1:

"But no such agreement shall be made until all data geological and otherwise pertaining to the states land to be pooled, and in possession of the lessee of the land with which it is to be pooled is delivered to the Land Commissioner by such lessee."

(Pending consideration of the amendment, the President pro tempore occupied the Chair temporarily.)

(President in the Chair.)

Senator Lane moved to table the amendment.

The motion to table prevailed by the following vote:

Yeas—19

Aikin	Lanning
Brown	Mauritz
Bullock	Metcalfe
Carney	Morris
Chadick	Ramsey
Crawford	Spears
Hazlewood	Taylor
Jones	Weinert
Knight	Winfield
Lane	

Nays—6

Moffett	Stone
Moore	Sulak
Shivers	Vick

Present—Not Voting

Parrish

Absent

Graves	Stanford
Martin	

Absent—Excused

Kelley	York
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Question recurring on the passage of the bill to engrossment, yeas and nays were demanded.

Senate Bill No. 229 was passed to engrossment by the following vote:

Yeas—28

Aikin	Metcalfe
Brown	Moffett
Bullock	Morris
Carney	Parrish
Chadick	Ramsey
Crawford	Shivers
Graves	Spears
Hazlewood	Stanford
Jones	Stone
Knight	Sulak
Lane	Taylor
Lanning	Vick
Martin	Weinert
Mauritz	Winfield

Nays—1

Moore

Absent—Excused

Kelley	York
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Senate Bill 229 on Third Reading

Senator Lane moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 229 be

placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Metcalfe
Brown	Moffett
Bullock	Morris
Carney	Parrish
Chadick	Ramsey
Crawford	Shivers
Graves	Spears
Hazlewood	Stanford
Jones	Stone
Knight	Sulak
Lane	Taylor
Lanning	Vick
Martin	Weinert
Mauritz	Winfield

Nays—1

Moore

Absent—Excused

Kelley	York
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The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Metcalfe
Brown	Moffett
Bullock	Morris
Carney	Parrish
Chadick	Ramsey
Crawford	Shivers
Graves	Spears
Hazlewood	Stanford
Jones	Stone
Knight	Sulak
Lane	Taylor
Lanning	Vick
Martin	Weinert
Mauritz	Winfield

Nays—1

Moore

Absent—Excused

Kelley	York
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Message from the House

Hall of the House of Representatives,
Austin, Texas,
April 17, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: I am directed by the House to

inform the Senate that the House has passed the following:

S. C. R. No. 28, Establishing "Muster Day" Tradition for A. & M. College on April 21, each year.

The following conferees have been appointed on the part of the House to adjust the differences on House Bill 303; Spacek, Rampy, Helpinstill, Adams, Moore of Red River.

The following conferees have been appointed on the part of the House to adjust the differences on S. J. R. No. 7: Winfree, McMurry, Bell of Dewitt, Fertsch, Senterfitt.

Respectfully submitted,
CLARENCE JONES,
Chief Clerk, House of Representatives.

Reports of Standing Committees

By unanimous consent the following committee reports were submitted at this time:

Austin, Texas,
April 17, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Judicial Districts, to whom was referred S. B. No. 322, have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

SHIVERS, Chairman.

Austin, Texas,
April 17, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Finance to whom was referred S. B. No. 253, have had same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

LANNING, Chairman.

Austin, Texas,
April 17, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on State Institutions and Departments to whom was referred H. B. No. 792, have had same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

CHADICK, Chairman.

House Bills on First Reading

The following House bills, received from the House, were laid before the Senate, read and referred to the committees indicated:

H. B. No. 277, to Committee on Counties and County Boundaries.

H. B. No. 72, the Committee on State Affairs.

H. B. No. 410, to Committee on State Affairs.

H. B. No. 484, to Committee on State Affairs.

H. B. No. 239, to Committee on Penitentiaries.

H. B. No. 309, to Committee on Aeronautics.

Senate Bill 77 on Second Reading

The President laid before the Senate, as a special order for this hour, on its second reading and passage to engrossment:

S. B. No. 77, A bill to be entitled "An Act declaring the floods of Colorado County, Fayette County and Jackson County, Texas, to be a public calamity; authorizing a donation and grant to Jackson County Flood Control District of one-half (1/2) of the ad valorem taxes collected in Jackson County; authorizing a donation and grant to Fayette County Flood Control District of one-half (1/2) the State ad valorem taxes collected in Fayette County; authorizing a donation and grant to Colorado County Flood Control District of one-half (1/2) of the State ad valorem taxes collected in Colorado County; providing that such taxes donated to shall be used for flood control improvements and maintenance purposes; specifying the reports thereon to be made by the Assessor and Collector of Taxes; authorizing the issuance of bonds secured by the pledge of funds donated and granted by the State; describing the manner of issuance thereof; providing that this act shall be severable; repealing all laws in conflict; and declaring an emergency."

The bill was read second time.

(Senator Martin in the Chair)

Question—Shall the bill be passed to engrossment?

Yeas and nays were demanded, and the bill was passed to engrossment by the following vote:

Yeas—18

Brown	Moore
Chadick	Parrish
Crawford	Ramsey
Graves	Shivers
Hazlewood	Stanford
Jones	Stone
Knight	Sulak
Mauritz	Vick
Metcalf	Weinert

Nays—10

Aikin	Martin
Bullock	Moffett
Carney	Morris
Lane	Taylor
Lanning	Winfield

Absent

Spears

Absent—Excused

Kelley York

Senate Bill 77 on Third Reading

Senator Sulak moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 77 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Moffett
Brown	Moore
Bullock	Morris
Carney	Parrish
Chadick	Ramsey
Crawford	Shivers
Graves	Spears
Hazlewood	Stanford
Jones	Stone
Knight	Sulak
Lane	Taylor
Lanning	Vick
Martin	Weinert
Mauritz	Winfield
Metcalf	

Absent—Excused

Kelley York

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yes—19

Brown	Chadick
Carney	Crawford

Graves	Ramsey
Hazlewood	Shivers
Jones	Stanford
Knight	Stone
Mauritz	Sulak
Metcalf	Vick
Moore	Weinert
Parrish	

Nays—9

Aikin	Moffett
Bullock	Morris
Lane	Taylor
Lanning	Winfield
Martin	

Absent

Spears

Absent—Excused

Kelley York

Senate Bill 324 on First Reading

Senator Lanning moved that the rules adopted pursuant to Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time a bill the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—29

Aikin	Moffett
Brown	Moore
Bullock	Morris
Carney	Parrish
Chadick	Ramsey
Crawford	Shivers
Graves	Spears
Hazlewood	Stanford
Jones	Stone
Knight	Sulak
Lane	Taylor
Lanning	Vick
Martin	Weinert
Mauritz	Winfield
Metcalf	

Absent—Excused

Kelley York

The following bill then was introduced, read first time and referred to the Committee on Finance:

By Senator Lanning:

S. B. No. 324, A bill to be entitled "An Act relating to the salaries of all State officers except the salaries and other compensation of district judges and except those Constitutional State Officers whose salaries are specific-

ally fixed by the Constitution; specifically providing that the Legislature shall fix the amount of compensation to be paid clerks of the Courts of Civil Appeals, the Supreme Court, and the Court of Criminal Appeals out of the fees of offices; and specifically repealing all laws and parts of laws in conflict herewith; and declaring an emergency."

Senate Bill 297 Laid on the Table Subject to Call

On motion of Senator Mauritz and by unanimous consent Senate Bill No. 297 was laid on the table subject to call.

House Bill 23 on Third Reading

Senator Graves called up for consideration at this time, the motion to reconsider the vote by which House Bill No. 23 was finally passed, which motion had been duly made and spread upon the Journal.

Senator Graves was permitted to withdraw the motion to reconsider.

Committee Substitute Senate Bill 103 on Second Reading

Senator Jones moved that the regular order of business be suspended to take up on its second reading and passage to engrossment:

C. S. S. B. No. 103, An Act to validate the organization and creation of all school districts including common school districts, independent school districts, consolidated common school districts, all county line school districts, including line common school districts, county line independent school districts, county line consolidated common school districts, county line consolidated independent school districts, rural high school districts, and all other school districts, whether created by General or Special Law or by County Boards of Trustees; providing this Act shall not validate the organization or creation of any district, or consolidation or annexation of any district in or to such district where the same is now involved in litigation or where suit or litigation is filed with reference thereto within forty-five (45) days after the effective date of this Act; validating the acts of said County Boards of Trustees and Boards of Trustees of such districts; validating bond assumption elections and all bonds voted, authorized and/or now

outstanding of said districts; validating all tax levies made in behalf of said districts; authorizing and empowering all school districts mentioned in this Act to levy, assess, and collect the same rate heretofore authorized or attempted to be authorized by any act or acts of said districts, or by any Act of the Legislature; making certain exemptions; providing a saving clause; and declaring an emergency.

The motion prevailed by the following vote:

Yeas—23

Aikin	Metcalf
Brown	Moffett
Bullock	Morris
Carney	Parrish
Chadick	Shivers
Crawford	Stanford
Hazlewood	Stone
Jones	Taylor
Knight	Vick
Lanning	Weinert
Martin	Winfield
Mauritz	

Absent

Graves	Ramsey
Lane	Spears
Moore	Sulak

Absent—Excused

Kelley	York
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The Presiding Officer laid the bill before the Senate and it was read second time.

Senator Aikin offered the following amendment to the bill:

Amend S. B. No. 103 by striking out on line 27 the following words: "or attempt to be authorized"

The amendment was adopted.

Senator Aikin offered the following amendment to the bill:

Amend S. B. No. 103 by striking out on line 40 the following words "or attempted to be established"

The amendment was adopted.

Senator Shivers offered the following amendment to the bill:

Amend S. B. No. 103 by adding after the words "all school districts" the following: "including any independent school district controlled by a municipality"

The amendment was adopted.

On motion of Senator Jones and by unanimous consent, the caption was

amended to conform with the body of the bill as amended.

C. S. S. B. No. 103 then was passed to engrossment.

Committee Substitute Senate Bill 103 on Third Reading

Senator Jones moved that the constitutional rule requiring bills to be read on three several days be suspended and that C. S. S. B. No. 103 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Moffett
Brown	Moore
Bullock	Morris
Carney	Parrish
Chadick	Ramsey
Crawford	Shivers
Graves	Spears
Hazlewood	Stanford
Jones	Stone
Knight	Sulak
Lane	Taylor
Lanning	Vick
Martin	Weinert
Mauritz	Winfield
Metcalf	

Absent—Excused

Kelley York

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Moffett
Brown	Moore
Bullock	Morris
Carney	Parrish
Chadick	Ramsey
Crawford	Shivers
Graves	Spears
Hazlewood	Stanford
Jones	Stone
Knight	Sulak
Lane	Taylor
Lanning	Vick
Martin	Weinert
Mauritz	Winfield

Nays—1

Metcalf

Absent—Excused

Kelley York

Adjournment

Senator Parrish moved that the Senate recess until 10:30 o'clock a. m., tomorrow.

Senator Moore moved that the Senate adjourn until 10:30 o'clock a. m., tomorrow.

Question first recurring on the motion of Senator Moore, it prevailed.

The Senate, accordingly, at 5:20 o'clock p. m., adjourned until 10:30 o'clock a. m., tomorrow.

SIXTIETH DAY

(Wednesday, April 18, 1945)

The Senate met at 10:30 o'clock a. m., pursuant to adjournment, and was called to order by the President pro tempore.

Aikin	Moffett
Brown	Moore
Bullock	Morris
Carney	Parrish
Chadick	Ramsey
Crawford	Shivers
Graves	Spears
Hazlewood	Stanford
Jones	Stone
Knight	Sulak
Lane	Taylor
Lanning	Vick
Martin	Weinert
Mauritz	Winfield
Metcalf	

A quorum was announced present.

The Reverend J. E. Chester, Chaplain, offered the invocation.

On motion of Senator Aikin, and by unanimous consent, the readings of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

Leaves of Absence Granted

Senators Kelley and York were granted leaves of absence for today on account of important business on motion of Senator Jones.

Senate Bill 325 on First Reading

Senator Morris moved that the rules adopted pursuant to Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time a bill the provisions of which he explained.